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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT DRYE and JACQUELINE DRYE, as
assignees of LEONARD JOSEPH N. MATEO

Plaintiff,

v.

GLATFELTER CLAIMS MANAGEMENT,
INC., a Delaware Company; AMERICAN
ALTERNATIVE INSURANCE
CORPORATION, a Delaware Company; DOES I
through X; and ROE CORPORATIONS I
through X, inclusive,

Defendants.

CASE NO.: 2:23-cv-00943-RFB-NJK

**ORDER TO
EXTEND DEADLINES TO FILE
ANSWERS TO COMPLAINT AND
FILE JOINT DISCOVERY PLAN**

**First Request on Extension of Answer
Deadline**

**Second Request on Extension of Joint
Proposed Discovery Plan**

Plaintiffs Robert Drye and Jacqueline Drye (“Plaintiffs”), Defendant American Alternative Insurance Corporation (“AAIC”) and Defendant Glatfelter Claims Management, Inc. (“Glatfelter”) (collectively “Defendants”) hereby stipulate to extend the deadlines for the parties to file its Proposed Joint Discovery Plan and for Defendants to file their Answers to the Complaint for two (2) weeks pending the outcome of settlement discussions that have been ongoing prior to and since the Court’s Order regarding motion to dismiss. (ECF No. 22).

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1 In support thereof, the parties state as follows:

2 1. This is an insurance coverage action regarding allegations of breach of the duty to
3 defend and indemnify Leonard Mateo (“Mateo”) in an underlying personal injury lawsuit. (ECF
4 No. 1-1).

5 2. Plaintiffs have asserted causes of action for 1) breach of contract; 2) unfair claims
6 practices in violation of NRS 686A.31 and 3) breach of the covenant of good faith and fair dealing.
7 (ECF No. 1-1).

8 3. The matter was removed to Nevada Federal District Court on June 16, 2023.
9 (ECF No. 1).

10 4. On June 23, 2023, Glatfelter filed its Motion to Dismiss as to all causes of action for
11 failure to state a claim under FRCP 12(b)(6) (ECF No. 9). AAIC joined Glatfelter’s motion on July
12 12, 2023. (ECF No. 14).

13 5. On July 31, 2023, the Court granted the parties request for a stay in discovery
14 pending the outcome of the motion to dismiss. (ECF No. 18). The Order stated that the parties
15 would have fourteen (14) days following the Order regarding the motion to dismiss to file a joint
16 discovery plan.

17 6. On January 22, 2024, the parties attended mediation with Hon. Trevor Atkin (ret.)
18 which did not result in a settlement of the case.

19 7. On February 6, 2024, the Court held a hearing on Glatfelter’s Motion to Dismiss.

20 8. On March 27, 2024, the Court issued an Order granting in part, and denying in part,
21 Glatfelter’s Motion to Dismiss. (ECF No. 22).

22 9. Since that time, the parties have continued to engage in settlement discussions and
23 have communicated new settlement offers between the parties.

24 10. The parties believe that this additional time will allow them to attempt to resolve the
25 entire lawsuit without the need to incur additional costs and expenses associated with preparing the
26 answers and drafting a joint discovery plan.

27 11. The parties attest that good cause exists to grant this stipulation.
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12. As such, the Parties request that the new deadline to file answers to the Complaint be **April 24, 2024**.

13. The Parties also request that the new deadline to file the Joint Proposed Discovery Plan be **April 24, 2024**.

Dated: April 10, 2024

H&P LAW

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/s/ Cara Xidis

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*Attorneys for Defendant
Glatfelter Claims Management, Inc.*

ORDER

IT IS SO ORDERED this 11 day of April, 2024.



US MAGISTRATE JUDGE